

AGD

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by amending section 103 for the purpose of establishing a line of succession of officers of the Federated States of Micronesia to act as President in the absence of other qualified individuals, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 103 of title 2 of the Code of the
2 Federated States of Micronesia is hereby amended to read as
3 follows:

4 "Section 103. Vacancy in the Offices of President and
5 Vice President.


6 (1) If both the President and Vice President die,
7 resign, or are impeached, or are not able to perform the
8 functions and responsibilities of the Office of the
9 President due to unexpected absence or leave, the ~~Speaker~~
10 of the Congress at-large member of the Congress of the
11 Federated States of Micronesia representing the same
12 State of the President's electorate shall immediately
13 assume the powers and duties of the President as Acting
14 President, and the PROVIDED, however, that the member
15 upon becoming Acting President shall not lose any or all
16 of his rights as a member of the Congress. The Congress
17 shall within thirty days of the last vacancy elect a
18 President and Vice President, convening for that purpose
19 if not in session, and declare vacancies in the Congress.
20 If the Office of the Speaker is vacant, or if the Speaker
21 dies or resigns from Congress during said thirty-day
22 period, the Vice Speaker shall immediately assume the
23 powers and duties of the President as Acting President.
24 If the at-large member designated as the Acting
25 President is unable to serve, dies, resigns or is

1 impeached during his tenure, the next succeeding official
 2 to be designated as Acting President shall follow the
 3 most senior, with respect to age, of the at-large
 4 members of the Congress of the Federated States of
 5 Micronesia from the other respective States.

6 (2) The President or the Vice President whenever
 7 he becomes Acting President, may not further delegate
 8 the functions and responsibilities of the Office of the
 9 President to any official of the executive departments or
 10 offices thereof.

11 (3) The President and the Vice President may not,
 12 together or separately, leave the Office of the President
 13 or the State in which the capital of the FSM is located,
 14 thereby causing both of them together or separately to be
 15 absent from the Office of the President and having that
 16 State conduct the constitutional and statutory
 17 responsibilities of the Office of the President."

18 Section 2. This act shall become law upon approval by the
 19 President of the Federated States of Micronesia or upon its becoming
 20 law without such approval.

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 22 Date: Nov 08, 1994 Introduced by: 
 23 Leo A. Falcam

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